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GOVERNOR OF HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES

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LAND
STATE PARKS

October 4, 2006

Alan Goo
Director of Public Works
Department of the Army
Headquarters, United States Army Garrison Hawai'i
Schofield Barracks, Hawai'i 96857-5000

LOG NO: 2006.3407
DOC NO: 0610AJ02
Archaeology

Dear Mr. Goo:

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Review –
Continued Stryker Brigade Combat Team Programmatic Agreement Battle Area
Complex (BAX) Training Range Construction Project
Wai'anae Uka Ahupua'a, Wahiawa District, Island of O'ahu
TMK: (1) 7-7-001**

Thank you for your continued requests for consultation regarding the aforementioned BAX project area. In two letters, dated September 18, 2006 and September 25, 2006, we received requests for consultation about appropriate mitigation and site protection measures for historically-significant resources inadvertently identified within the BAX project area during the final stages of clearing unexploded ordinance (UXO) from the BAX project area.

The State Historic Preservation Division (SHPD) has received several notifications of concern from the cultural monitors for the project about construction activities within the BAX project area. Concerns raised by the cultural monitors include (1) premature construction work prior to the establishment of site protection measures, (2) bulldozer damage to Hale'au'au Heiau, (3) inadequate access by cultural monitors to construction work, and (4) failure to adequately consult with concerned Hawaiian groups that have been actively involved in this Section 106 process from the start.

SHPD previously expressed concern over these alleged violations of the SBCT PA in a letter (LOG NO: 2006.2543, DOC NO: 0607CM26) dated July 24, 2006. Therefore, SHPD requested an immediate site inspection so that these allegations could be investigated. We also requested that all work immediately cease on this project until all relevant parties can be brought to the table for substantive discussions regarding appropriate corrective actions.

It is my understanding that damage to the Hale'au'au Heiau resulting from a bulldozer could not be confirmed during the site visit. Nonetheless, it was determined that the bulldozer did in fact breach the buffer zone. We are also aware that protective measures were not in place prior to the initiation of construction. Furthermore, we also understand that cultural monitors have been granted limited access to the project area which impedes their ability to identify potential sites of cultural significance.

EXHIBIT 10

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Mr. Goo

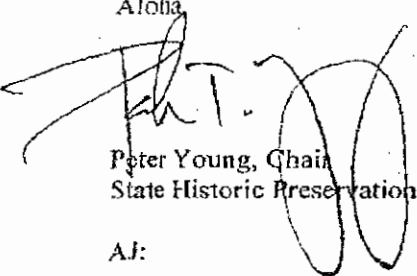
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To date, work has not stopped on the project, and all relevant parties have not been brought to the table for substantive discussions regarding appropriate corrective action. Therefore, due to violations of the SBCT PA which have occurred, SHPD wishes to inform the United States Army that unless all relevant parties come to the table by October 31, 2006 to address issues of concern, SHPD will propose that stipulation 6 E (Termination) of the SBCT PA be initiated.

Please contact either Ms. Melanie Chinen or Mr. Adam Johnson of my staff at (808) 692-8015 to schedule a meeting to discuss community concerns and appropriate correction action. In closing we again request that you immediately cease all work on the project until we are able to meet.

If we do not hear from you by the end of this month we will proceed with the provisions set forth in stipulation 6E.

Aloha



Peter Young, Chair
State Historic Preservation Officer

At:

cc: Dr. Laurie Lucking, Cultural Resource Manager, U.S. Army Garrison
Mr. Alike Silva, Kahu Kulaiwi, Koa Mana
Mr. Kai Markell, OHA
Mr. Tom Lenchanko, Waha olelo 'Aha Kukaniloko
Mr. and Ms. Quitevas, Kahunana
Dr. John Peterson, Garcia and Associates
Mr. John Fowler, Executive Director, ACHP
Ms. Valerie Hauser, Native American Program Coordinator, ACHP